



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo, Acting President

Jerry Duncan
Sal Quintero
Daniel Ronquillo

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, MARCH 12, 2002

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. ROLL CALL

Invocation by Pastor William Nolte of the First Baptist Church
Pledge of Allegiance to the Flag

Presentation of 2nd Quarter Student Recognition Awards for Elementary and Middle Schools in District 4 - Acting President Castillo
Proclamation of "DEMOLAY WEEK" - Mayor Autry and Council President Perea
Proclamation of "GIRL SCOUT WEEK" - Mayor Autry and All Councilmembers
Resolution of Commendation to Diane Wetzel - Mayor Autry and Councilmember Calhoun
Presentation of meritorious awards to the Hamilton Task Force - Joan Henslett Minaian, Clint Horwitz and Carol Mills - Councilmember Boyajian

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Recreational Facilities Financing Authority minutes of February 12 & 26, 2002 (*Members Castillo, Perea and Duncan only*)

Action Taken:

Approve Agency minutes of February 26, 2002

Action Taken:

9:00 A.M. Presentation of Vision 2010 Plan for downtown Fresno by Mayor Alan Autry and City Council/Agency members and receive input and direction regarding implementation strategies, timetable and financing, including necessary environmental reviews, and related requirements (*Council and Agency action*).

Action Taken:

9:15 A.M. **RESOLUTION** - Approving a replacement housing plan for the Ventura/Freeway Project - Subarea 1 (9.72 acres (Cornerstone Project) in the Convention Center Redevelopment Project Area (*Continue to 3/19/2002 @ 8:30 a.m.*)

Action Taken:

ADJOURN AGENCY

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of March 5, 2002

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M. Appearance by Fred W. Martin requesting Council consider providing parking for family members and care givers at Masten Towers, property located at 1240 Broadway Plaza
Action Taken:

10:05 A.M. Council consideration of scheduling a public hearing before the Council to review the Fresno City Planning Commission's action to approve Conditional Use Permit (CUP) No. C-01-163 - Council President Perea
Action Taken:

11:00 A.M.#1 **CONTESTED CONSENT CALENDAR**

11:00 A.M. #2 **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -**
Government Code Section 54956.9, Subdivision (a)
- Case Name:** Vitthalbhai Patel et al. v. City of Fresno
Action Taken:
- B. CONFERENCE WITH LABOR NEGOTIATOR -** Government Code Section 54957.6
City Negotiator(s): Andrew T. Souza, Severo Esquivel and Jorge C. Aguiniga
Employee Organization(s):
- International Union of Operating Engineers, Stationary Engineers Local 39 (Local 39)
 - International Brotherhood of electrical Workers Local 100 (IBEW)
 - Fresno City Employees Association (FCEA)
 - Amalgamated Transit Union, Local 1027 (ATU)
 - Fresno Airport Peace Officers/Firefighters Association (FAPOFA)
Action Taken:

2 :00 P.M. **CLOSED SESSION**

- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -**
Government Code Section 54956.9, Subdivision (a)
- Case Name:** City of Fresno v. Garfield Park Highlands, et al. (P.R. Farms)
 - Case Name:** City of Fresno v. County of Fresno, LAFCO and City of Clovis
 - Case Name:** City of Fresno v. City of Clovis, City Council of the City of Clovis, (Paynter Realty and Investments, Inc., David Paynter - Real Parties in Interest)
 - Case Name:** Scott Ellis Enterprises v. City of Fresno, Union Pacific Railroad Company, formerly known as Southern Pacific Transportation Company
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2 :00 P.M.

CLOSED SESSION CONTINUED

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9 Subdivision (b)(2)

1. Case Name: City of Fresno v. LAFCO of Fresno County

1. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 11:00 A.M.)

A. Award a contract to construct well site improvements at Pump Station 32B (General Services Dept./Dept. Of Public Utilities)

Action Taken:

B. Award a requirements contract for 3/4" - 2" water meters (Rebid) (General Services Dept./Dept. Of Public Utilities)

Action Taken:

C. Award a contract for traffic signal upgrades, Chestnut and Tulare Avenues (General Services Dept./Public Works Dept.)

Action Taken:

1. * RESOLUTION - 85th amendment to AAR No. 2001-200 appropriating \$101,300 for the award of traffic signal upgrades at Chestnut and Tulare Avenues (*Requires 5 affirmative votes*)

Action Taken:

D. * RESOLUTION - Approving the reallocation of funds in the amount of \$200,000 for Tulare and Fresno Street median islands projects

Action Taken:

1. Award a contract for Fresno Street median islands construction and installation of landscaping and irrigation (General Services Dept./Public Works Dept.)

Action Taken:

2. Award a contract for Tulare Street median islands construction and installation of landscaping and irrigation (General Services Dept./Public Works Dept.)

Action Taken:

E. Approve acquisition of street easements from Sunstone OP Properties, LLC (APN 455-272-01S), and Van Ness Investment Company (APN 456-270-17) for Peach Avenue improvements - Public Works Dept.

Action Taken:

1.

GENERAL CONSENT CALENDAR CONTINUED

- F. Approve an Agricultural Lease Agreement with the Daniel and Joyce Souza Family Trust for 160 acres of City-owned land at the Regional Wastewater Reclamation Facility - Public Works Dept.
Action Taken:
- G. Approve acquisition of sewer easement from Victoria Rodriguez (APN 329-161-34) and temporary street easement from Denken Farms (APN 330-020-80S) for the North Avenue Trunk Sewer - Public Works Dept.
Action Taken:
- H. **RESOLUTION** - Approving the summary vacation of a portion of Broadway Plaza between Fresno and Mariposa Streets - Public Works Dept.
Action Taken:
- I. **RESOLUTION** - Approving the summary vacation of S. West Avenue between W. Whitesbridge Road and the proposed Freeway 180 - Public Works Dept.
Action Taken:
- J. Approve a Military Construction Cooperative Agreement with California Air National Guard for the design of plans and construction documents for traffic signal modifications and street improvements at McKinley Avenue and Falcon Drive - Public Works Dept.
Action Taken:
- K. **RESOLUTION** - Approving an agreement with AECPM, Inc., to perform inspection services for the surface water treatment plant - Public Works Dept.
Action Taken:
- L. * **RESOLUTION** - Approve reallocation of \$40,000 for the construction of storm drain and street improvements at Alva and Marty Avenues - Public Works Dept. (***Requires 5 affirmative votes***)
Action Taken:
- M. Consider continuation of Resolution No. 2001-337, which proclaimed a local emergency in and around the Fresno Yosemite International Airport based upon the threat of enemy attack or sabotage - City Manager's Office
- a. **RESOLUTION** - Continuing Resolution No. 2001-337, which proclaimed a local emergency in and around the Fresno Yosemite International Airport, based upon continuing existence of facts and circumstances of the threat of enemy attack or sabotage
Action Taken:

2.

CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Consideration of City of Fresno response to Madera County's proposed Village of Madera Gateway Project - Councilmember Calhoun
Action Taken:
- B. Installation of stop signs that do not meet warrants. (Request is for immediate streets behind Sequoia Middle School) - Councilmember Quintero
1. Installation of 1 stop sign located on Braly Avenue for eastbound traffic at 9th Street
Action Taken:
 2. Installation of 2 stop signs on 9th Street for north and south bound traffic at Woodward Avenue
Action Taken:
- C. Council consideration of scheduling a public hearing before the Council to review the Fresno City Planning Commission's decision to require an Environmental Impact Report (EIR) for the application for Conditional Use Permit (CUP) No. C-01-089 - Councilmember Calhoun
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

- A. Consideration of proposed International-Maple No. 1 Reorganization consisting of 30 acres proposed for detachment from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno
Action Taken:
1. * **RESOLUTION** - Applying to the Fresno Local Agency Commission (LAFCO) in the matter of the proposed International-Maple No. 1 Reorganization
Action Taken:

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Mar. 19 - 10:00 A.M. HEARING** re: weed abatement
- Mar. 19 - 10:15 A.M.** Council discussion on a joint City and County resolution to form a commission to study local government services to include a City/County merger - Councilmember Calhoun
- Mar. 19 - 10:30 A.M. HEARING** re: CUP No. C-01-167, Variance Appl., No. V-01-023, filed by Cliff Tutelian
- Mar. 19 - 5:00 P.M. HEARING** re: R-01-33, CUP No. C-01-117, filed by Ellis Enterprises, property located on the northeast corner of E. Shepherd and E. Champlain
- Mar. 26 - 10:00 A.M. HEARING** re: R-01-049, filed by Jerry A. Markarian
- Apr. 2 - NO MEETING - EASTER WEEK**
- Apr. 9 - 10:00 A.M. HEARING** re: CFD No. 2, Annexation No. 34, Tracts 4933 and 5014
- Apr. 9 - 10:15 A.M. HEARING** re: the formation of CFD No. 6
- Apr. 16 - 10:00 A.M. HEARING** re: vacation of Main Street between “N” and “O” and a portion of N” Street between Tulare and Maine and a P.U.E. in the “N” - “O” alley between Tulare and Main Streets - R.I. 1027-D
- Apr. 23 - 10:00 A.M.** Presentation of Employee Service Awards (*Reception immediately following - 2nd floor foyer*)
- Apr. 23 - 10:30 A.M. HEARING** re: Community Facilities District No. 2, Annexation No. 35, Tract No. 5066